

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

CASE NO. <u>CA05-11803</u>				
Shenia Dancy-Stewart PLAINTIFF			City of Boston et al <u>DEFENDANT</u>	
		James	Dilday	
COUNSEL FOR PLAINT	<u>IFF</u>		COUNSEL FOR DEFENDANT	
JUDGE Wolf	CLERK O'Leary		REPORTER Hancock	
		CI EDV'S	NOTES	

CLERK'S NOTES

DATES:	Motion Hearing
5/9/08	Court goes over the procedural history with the witness Carlos Fernandez and his counsel James Dilday.
	Court states that as the motion to modify his order to detain the witness was filed recently and as such was
	not able to give the parties notice of the hearing. After hearing from counsel the court will decide whether to
	rule on the motion or continue the hearing to give the parties an opportunity to be heard. Counsel confirms
	the defendant claims that he never received notice of the hearing. Court states that it has previously found based
	based on prior testimony that he did receive notice. Counsel requests that the witness be released and that
	he report to pre-trial services on Monday or post the cash for his return on Wednesday. Court says any bail
	hearing will be conducted on Monday afternoon, provided they are available. Attorney Dilday informs the
	court that he is available Monday afternoon. Court continues the hearing on the motion to modify the order
	until Monday May 12, 2008 at 3:15 pm. Court orders Attorney Dilday to print out the relevant filings since
	December in this case related to Mr. Fernandez. Court reminds counsel and the witness that its goal is to
	resolve his fifth amendment rights and the extent of the same.